

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:02-CR-319-T-26TGW
18 U.S.C. § 371
18 U.S.C. §§ 1343, 1346
18 U.S.C. § 201(b)(1)(A) and (B)
18 U.S.C. § 201(b)(2)(A) and (B)
18 U.S.C. § 201(c)(1)(A)
18 U.S.C. § 201(c)(1)(B)
18 U.S.C. § 666(a)(1)(B)
18 U.S.C. § 666(a)(2)
18 U.S.C. § 666(a)(1)(A)(i) and (ii)
18 U.S.C. § 641

STEVEN ALLEN LaBRAKE,
PAULETTE LYNNE McCARTER,
a/k/a "Paulette Lynne LaBrake,"
DEAN R. RYAN,
CHESTER MAURICE LUNEY,
a/k/a "Chet Luney," and
LORI A. ROBERTS,
a/k/a "Lori A. Horne"

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE

A. Introduction

At times material to this Indictment:

The Defendants

1. Defendant STEVEN ALLEN LaBRAKE was the Director of the City of Tampa Business and Community Development Services, responsible for, among other things, the administration of Federal and State funded housing programs with oversight and control of the City of Tampa Community Redevelopment Agency (hereinafter referred to as "CRA"), now known as the City of Tampa Housing and Community Development.

2. Defendant PAULETTE LYNNE McCARTER was a Senior Redevelopment

Counselor for the CRA, responsible for, among other things, the processing of CRA loans and the specifics of federal and state housing programs.

3. Defendant DEAN R. RYAN was a State of Florida licensed General Contractor, doing business as Ryan Construction Co., a Florida Corporation, incorporated in 1974, who was, among other things, a recipient of Federally funded building and rehabilitation contracts administered by the City of Tampa, through CRA, and local non-profit organizations.

4. Defendant CHESTER MAURICE LUNEY was the Chief Executive Officer of the entities comprising the "THAP Group," a group of Florida non-profit and for profit corporations, and other legal entities, engaged in various social and business related interests in the Tampa, Florida area.

5. Defendant LORI A. ROBERTS was a loan officer at the University of South Florida Federal Credit Union, responsible for, among other things, the administration of loan applications and the control of loan disbursements.

The City of Tampa Agency

6. The CRA was an agency of the City of Tampa. CRA was responsible for ensuring that federal and state funds given to the City of Tampa were used to renovate and rehabilitate homes within the City of Tampa for residents who qualified for these homes.

The Businesses

7. The "THAP Group" consisted of approximately eight related, yet separate entities, all sharing a common Board of Directors, with varied social and business related interests, as follows:

a. The Tampa Hillsborough Action Plan, Inc. (hereinafter referred to as "THAP"), was incorporated in 1987, as a Florida non-profit corporation, whose purpose was to identify and address issues affecting citizens in the Tampa, Florida community;

b. THAP Homes, Inc, was incorporated in 1995, as a Florida non-profit corporation, whose purpose was to, among other things, provide affordable housing for low and moderate income families;

c. Synergy Health Centers, Inc., was incorporated in 1995, as a Florida non-profit corporation, whose purpose was to, among other things, provide health care services to low and moderate income families;

d. Oakhurst Square I Community Partnership, was incorporated in 1995, as a Florida non-profit corporation, for the purpose of, among other things, operating an apartment complex in Tampa, Florida;

e. Oakhurst Square II Community Partnership, was incorporated in 1995, as a Florida non-profit corporation, for the purpose of, among other things, operating an apartment complex in Tampa, Florida;

f. Coastal Bay Properties, Inc, was incorporated in 1996, as a Florida non-profit corporation, whose purpose was to, among other things, own and manage commercial and residential properties and promote economic development;

g. THAP Enterprise Group, Inc., was incorporated in 1997, as a Florida non-profit corporation, whose purpose was to, among other things, own and manage commercial and residential properties and promote economic development; and

h. Courtyard at Lowery Place, was incorporated in 2001, as a Florida non-profit corporation, for the purpose of, among other things, operating an assisted living facility in Tampa, Florida.

8. THAP Realty, L.L.C., was founded in 2000, as a Florida limited liability company, by CHESTER MAURICE LUNEY and another individual.

9. B-THAP, L.C., was founded in 2000, as a Florida limited liability company, by CHESTER MAURICE LUNEY and another individual, for the purpose of forming a partnership to promote the development of a shopping center in Tampa, Florida.

10. "So, What's the Occasion?," was a fictitious name registered in the State of Florida on June 27, 2000 by PAULETTE LYNNE McCARTER, for the purpose of operating a gift basket business.

11. Ryan Construction Co. was a construction company owned and operated by DEAN R. RYAN. Among other things, Ryan Construction Co. sought and was awarded contracts with the City of Tampa through THAP.

12. The University of South Florida Federal Credit Union (hereinafter referred

to as “USF Federal Credit Union”) was chartered in 1959 to serve the financial needs of the staff and faculty at the University of South Florida. It became a Federal Credit Union, regulated and insured by the National Credit Union Administration (hereinafter referred to as “NCUA”) in 1985.

Governmental Department and Programs

13. The United States Department of Housing and Urban Development (hereinafter referred to as “HUD”) was the Federal agency responsible for national policy and programs that address America's housing needs, that improve and develop the Nation's communities, and enforce fair housing laws. HUD's business was helping to create a decent home and suitable living environment for all Americans. HUD played a major role in supporting home ownership by underwriting home ownership for lower- and moderate-income families through its mortgage insurance programs.

Annually, the City of Tampa (the Grantee) entered into a contract with HUD in the form of a Funding Approval/Agreement. The agreement required the Grantee to comply with the terms and conditions of the agreement, applicable regulations, and other requirements of HUD pertaining to the assistance provided. The following are the primary HUD funded programs that the City of Tampa administered, through their signed agreements with HUD.

(1) The Community Development Block Grant (hereinafter referred to as “CDBG”) program provided annual grants on a formula basis to entitled metropolitan cities and urban counties to implement a wide variety of community and economic development activities directed toward neighborhood revitalization, economic development and the provision of improved community facilities and services. CDBG

activities were initiated and developed at the local level based upon a community's perceptions of its local needs, priorities, and benefits to the community. Each entitlement grantee receiving CDBG funds was free to determine what activities it would fund as long as certain requirements are met, including that each activity is eligible and meets one of the following broad national objectives: benefit persons of low and moderate income, aid in the prevention or elimination of slums or blight, or meet other community development needs of particular urgency. CDBG funds were used to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for persons of low and moderate income.

(2) HOME Investment Partnership funds were the largest Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households. HOME funds were awarded annually as formula grants to participating jurisdictions. HUD established Home Investment Trust Funds for each grantee, providing a line of credit that the jurisdiction could draw upon as needed. The program's flexibility allowed State and local governments to use HOME funds for grants, direct loans, loan guarantees or other forms of credit enhancement, or rental assistance or security deposits. HOME funds were used for home purchase or rehabilitation financing assistance to eligible homeowners and new homebuyers; build or rehabilitate housing for rent or ownership; or for "other reasonable and necessary expenses related to the development of non-luxury housing," including site acquisition or improvement, demolition of dilapidated housing to make way for HOME-assisted development, and payment of relocation expenses.

(3) HOPE for Home ownership of Single Family Homes program (hereinafter referred to as "HOPE 3") was established to aid nonprofit and public agencies in acquiring, rehabilitating, and reselling single-family homes to low-income families. The HOPE 3 was set up to serve low income families to provide home ownership opportunities for eligible families to purchase single family properties. HOPE 3 provided grants to eligible applicants to plan and implement home ownership programs designed to meet the needs of low-income first-time.

(4) HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (hereinafter referred to as "HOPWA") Program was established by HUD to address the specific needs of persons living with HIV/AIDS and their families. HOPWA made grants to local communities, States, and nonprofit organizations for projects that benefit low-income persons medically diagnosed with HIV/AIDS and their families.

(5) The EMERGENCY SHELTER GRANTS (hereinafter referred to as "ESG") program provided homeless persons with basic shelter and essential supportive services. It assisted with the operational costs of the shelter facility, and for the administration of the grant. ESG also provided short-term homeless prevention assistance to persons at imminent risk of losing their own housing due to eviction, foreclosure, or utility shutoffs.

B. Charge

14. From in or about February, 1996, through on or about February 27, 2003,
at Tampa, in the Middle District of Florida, and elsewhere,

STEVEN ALLEN LaBRAKE,
PAULETTE LYNNE McCARTER,
a/k/a "Paulette Lynne LaBrake,"
DEAN R. RYAN,
CHESTER MAURICE LUNEY,
a/k/a "Chet Luney,"
and
LORI A. ROBERTS,
a/k/a "Lori A. Horne,"

defendants herein, and others known and unknown to the grand jury, did knowingly and
willfully combine, conspire, confederate and agree together:

a. to defraud the United States by impeding, impairing, obstructing,
and defeating the lawful government functions of the Department of Housing and Urban
Development in the operation of HUD-funded programs in a manner that was honest,
fair, and free from deceit, craft, trickery, corruption, and dishonesty;

b. to commit offenses against the United States, that is:

- (1) directly and indirectly, to corruptly give, offer and promise
anything of value to a public official, and offer and promise any
public official to give anything of value to any other person and
entity, with intent to influence any official act and to influence such
public official to commit and aid in committing, collude in, and
allow, any fraud on the United States, in violation of Title 18, United
States Code, Sections 201(b)(1)(A) and (B) and 2;
- (2) being a public official, directly and indirectly, to corruptly

demand, seek, receive, accept and agree to receive and accept anything of value personally and for any other person or entity, in return for being influenced in the performance of any official act and being influenced to commit and aid in committing, collude in, and allow, any fraud, and make opportunity for the commission of any fraud, on the United States, in violation of Title 18, United States Code, Sections 201(b)(2)(A) and (B) and 2;

(3) otherwise than as provided by law for the proper discharge of official duty, directly and indirectly, to give, offer, and promise anything of value to any public official, for and because of any official act performed and to be performed by such public official, in violation of Title 18, United States Code, Sections 201(c)(1)(A) and 2;

(4) otherwise than as provided by law for the proper discharge of official duty, being a public official, directly and indirectly, demand, seek, receive, accept, agree to receive and accept anything of value personally for and because of any official act performed and to be performed by such official and person, in violation of Title 18, United States Code, Sections 201(c)(1)(B) and 2;

- (5) being an agent of an organization, and a local government, and any agency thereof, corruptly solicit and demand for the benefit of any person, and accept and agree to accept, anything of value from any person, intending to be influenced and rewarded in connection with any business, transaction, and series of transactions of such organization, government and agency involving anything of value of \$5,000 or more, in violation of Title 18, United States Code, Sections 666(a)(1)(B) and 2; and
- (6) corruptly give, offer, and agree to give anything of value to any person, with intent to influence and reward an agent of an organization, and a local government, and any agency thereof, in connection with any business, transaction, and series of transactions of such organization, government and agency involving anything of value of \$5,000 or more, in violation of Title 18, United States Code, Sections 666(a)(2) and 2.

C. Manner and Means

15. It was part of the conspiracy that STEVEN ALLEN LaBRAKE would and did corruptly award contracts to THAP and Ryan Construction Co.

16. It was further part of the conspiracy that STEVEN ALLEN LaBRAKE and PAULETTE LYNNE McCARTER, would and did request and require things of value from the representatives of THAP and Ryan Construction Co.

17. It was further part of the conspiracy that DEAN R. RYAN and CHESTER MAURICE LUNEY would and did corruptly give STEVEN ALLEN LaBRAKE and PAULETTE LYNNE McCARTER, items of value, including money and services.

18. It was further part of the conspiracy that STEVEN ALLEN LaBRAKE and PAULETTE LYNNE McCARTER, would and did corruptly demand, seek, receive and accept items of value in return for being influenced in the performance of their official duties.

19. It was further part of the conspiracy that the defendants would and did perform acts and make statements to hide and conceal and cause to be hidden and concealed the purpose of the conspiracy and the acts committed in furtherance thereof.

D. Overt Acts

In furtherance of the conspiracy and to effect the objects thereof, the following overt acts, among others, were committed in the Middle District of Florida and elsewhere:

(1) On or about February 16, 1996, STEVEN ALLEN LaBRAKE, PAULETTE LYNNE McCARTER, and LORI A. ROBERTS caused a contractor to meet with them to discuss changes to the scope of work to be performed at 215 West Marham Avenue, Tampa, Florida.

(2) On or about February 23, 1996, STEVEN ALLEN LaBRAKE, PAULETTE LYNNE McCARTER, and LORI A. ROBERTS caused a contractor to file a change order for work to be performed at 215 West Marham Avenue, Tampa, Florida requesting a change in the contract amount from \$21,453.02 to \$50,000.00.

(3) On or about March 4, 1996, LORI A. ROBERTS signed the plans for the

new addition at 215 West Marham Avenue, Tampa, Florida, that was prepared by a contractor.

(4) On or about March 13, 1996, STEVEN ALLEN LaBRAKE, PAULETTE LYNNE McCARTER, and LORI A. ROBERTS caused a contractor to send LORI A. ROBERTS by facsimile, a brochure concerning appliances for 215 West Marham Avenue, Tampa, Florida.

(5) On or about March 19, 1996, LORI A. ROBERTS sent a facsimile to an employee of a contractor regarding her selection of cabinets for 215 West Marham Avenue, Tampa, Florida.

(6) On or about March 21, 1996, STEVEN ALLEN LaBRAKE, PAULETTE LYNNE McCARTER, and LORI A. ROBERTS caused an employee of a contractor to send to LORI A. ROBERTS a facsimile concerning the cabinets and dishwasher.

(7) On or about March 28, 1996, STEVEN ALLEN LaBRAKE, PAULETTE LYNNE McCARTER, and LORI A. ROBERTS caused Tampa United Methodist Center (hereinafter referred to as "TUMC"), a non-profit organization, to write a letter to a contractor removing him from the construction project at 215 West Marham Avenue, Tampa, Florida.

(8) On or about March 29, 1996, STEVEN ALLEN LaBRAKE, PAULETTE LYNNE McCARTER, and LORI A. ROBERTS caused an employee of the City of Tampa (CRA) to send a memo advising that a contractor had been replaced by Ryan Construction Co.

(9) On or about April 22, 1996, DEAN R. RYAN caused Ryan Construction Co. to issue a check in the amount of \$1,800.00 to LORI A. ROBERTS for "range-ref-

hood-disposal-d.washer.”

(10) On or about April 29, 1996, LORI A. ROBERTS issued a check in the amount of \$1,457.99 to Tate Electric.

(11) On or about May 2, 1996, LORI A. ROBERTS entered into a contract for sale of real estate with TUMC to purchase 215 West Marham Avenue, Tampa, Florida.

(12) On or about June 3, 1996, LORI A. ROBERTS closed on the property at 215 West Marham Avenue, Tampa, Florida.

(13) On or about June 10, 1996, DEAN R. RYAN caused Ryan Construction Co. to receive a cashier's check in the amount of \$34,533.00; \$33,024.00 of which was for 215 West Marham Avenue, Tampa, Florida.

(14) On or about February 20, 1998, LORI A. ROBERTS received an estimate from First Choice Pools & Spas of Florida, Inc. in the amount of \$14,075.00 for the construction of a pool at 215 West Marham Avenue, Tampa, Florida.

(15) On or about April 9, 1998, STEVEN ALLEN LaBRAKE sent a letter to the City Attorney for the City of Tampa, stating that LORI A. ROBERTS requested that the City subordinate the existing deferred payment loan so that she could obtain a second mortgage to make some improvements to the property.

(16) On or about April 20, 1998, STEVEN ALLEN LaBRAKE caused a City of Tampa employee to send a letter to LORI A. ROBERTS with an attached subordination of mortgage.

(17) On or about May 28, 1998, LORI A. ROBERTS sent a facsimile to a City of Tampa employee at CRA, regarding an addition of a screen room.

(18) On or about June 17, 1998, STEVEN ALLEN LaBRAKE, PAULETTE

LYNNE McCARTER, and LORI A. ROBERTS caused a local contractor to receive an official check in the amount of \$1,100.00 for an addition of a screen room at 215 West Marham Avenue, Tampa, Florida.

(19) On or about January 6, 1999, STEVEN ALLEN LaBRAKE purchased a residence at 419 Chippewa Street, Tampa, Florida.

(20) On or about July 23, 1999, DEAN R. RYAN acquired a permit to perform rehabilitation work at 215 West Marham Avenue, Tampa, Florida.

(21) In or about October, 1999, DEAN R. RYAN caused Ryan Construction Co. to perform additional work at 215 West Marham Avenue, Tampa, Florida.

(22) On or about February 22, 2000, CHESTER MAURICE LUNEY caused Albert Carswell, a contractor, to submit a proposal to THAP Homes, Inc. for the installation of 200 square feet of brick pavers, among other things, for \$1,275.00, at 419 Chippewa Street, Tampa, Florida.

(23) On or about February 22, 2000, CHESTER MAURICE LUNEY caused Albert Carswell, a contractor, to submit a proposal for payment of \$1,275.00 to THAP Homes, Inc. for completion of work at 419 Chippewa Street, Tampa, Florida.

(24) On or about March 3, 2000, CHESTER MAURICE LUNEY, on behalf of THAP Homes, Inc., issued a check drawn on a SunTrust Bank account in the amount of \$1,275.00 to Albert W. Carswell.

(25) On or about June 15, 2000, PAULETTE LYNNE McCARTER made an Application for Fictitious name for "So, What's the Occasion."

(26) On or about June 27, 2000, PAULETTE LYNNE McCARTER caused the State of Florida to register "So, What's the Occasion" as a fictitious name.

(27) On or about October 30, 2000, PAULETTE LYNNE McCARTER caused Wells Fargo to issue a letter stating, among other things, that the net payoff of her Express Auto Lease for a Toyota Four Runner was \$24,969.38.

(28) On or about October 30, 2000, PAULETTE LYNNE McCARTER and CHESTER MAURICE LUNEY entered into an agreement wherein THAP Realty, Inc. agreed, among other things, to purchase 150 "Congratulation Packages" from "So, What's the Occasion" for \$125.00 per package.

(29) On or about October 31, 2000, STEVEN ALLEN LaBRAKE and CHESTER MAURICE LUNEY, among others, at a meeting introduced the concept of a "Welcome Package" being created and provided to home buyers in the City of Tampa affordable housing program that was administered through CRA.

(30) On or about November 1, 2000, CHESTER MAURICE LUNEY caused THAP Enterprise Group, Inc. to issue a check drawn on Regions Bank for \$5,000.00 to "So, What's the Occasion."

(31) On or about November 9, 2000, CHESTER MAURICE LUNEY caused THAP Homes, Inc. to purchase a Toyota Four Runner from PAULETTE LYNNE McCARTER for \$24,969.38.

(32) On or about November 9, 2000, CHESTER MAURICE LUNEY caused THAP Enterprise Group, Inc. to issue a check for \$576.34 to "So, What's the Occasion" for the tires on the Toyota Four Runner purchased from PAULETTE LYNNE McCARTER.

(33) On or about November 26, 2000, PAULETTE LYNNE McCARTER entered into a residential sale and purchase contract to purchase property located at 3608 Corona Street, Tampa, Florida for \$121,000.00.

(34) On or about November 29, 2000, PAULETTE LYNNE McCARTER submitted a Uniform Residential Loan Application to USF Federal Credit Union for \$230,000.00, in which LORI A. ROBERTS signed as a representative of USF Federal Credit Union.

(35) On or about November 29, 2000, PAULETTE LYNNE McCARTER, in her loan application, stated that she rented out her residence at 10834 Peppersong Drive, Brandon, Florida, for \$1,400.00 per month.

(36) On or about December 4, 2000, DEAN R. RYAN caused Ryan Construction Co. to provide an estimate of costs for the construction of a residence at 3608 Corona Street, Tampa, Florida, for \$105,000.00 total estimated cost.

(37) On or about December 12, 2000, PAULETTE LYNNE McCARTER sent an invoice on behalf of "So, What's the Occasion" to THAP for 23 Christmas baskets for a total of \$2,625.00.

(38) On or about December 12, 2000, CHESTER MAURICE LUNEY caused Coastal Bay Properties, Inc. to issue a check in the amount of \$2,625.00 to “So, What’s the Occasion.”

(39) On or about December 12, 2000, CHESTER MAURICE LUNEY caused Coastal Bay Properties, Inc. to issue a check in the amount of \$2,000.00 to “So, What’s the Occasion.”

(40) On or about December 23, 2000, PAULETTE LYNNE McCARTER issued an invoice to THAP, Inc. on behalf of “So, What’s the Occasion” for 250 Congratulations Packages for a total of \$31,250.00.

(41) On or about December 23, 2000, PAULETTE LYNNE McCARTER entered into a purchase agreement with Ryan Construction Co. to construct a dwelling for \$105,000.00.

(42) On or about December 23, 2000, PAULETTE LYNNE McCARTER entered into a second contract with Ryan Construction Co. which stated, among other things, that change orders will be paid by credit card up to \$40,000.00.

(43) On or about December 27, 2000, CHESTER MAURICE LUNEY caused THAP Realty, Inc. to be incorporated in the State of Florida.

(44) On or about January 3, 2001, PAULETTE LYNNE McCARTER and CHESTER MAURICE LUNEY entered into a sham residential lease agreement wherein CHESTER MAURICE LUNEY purportedly agreed to rent a residence at 10834 Peppersong Drive for \$1,400.00 per month.

(45) On or about January 5, 2001, LORI A. ROBERTS caused USF Federal Credit Union to approve the loan application of PAULETTE LYNNE McCARTER for 3608 Corona Street, Tampa, Florida.

(46) On or about January 5, 2001, CHESTER MAURICE LUNEY caused Coastal Bay Properties, Inc. to issue a check in the amount of \$12,000.00 to "So, What's the Occasion."

(47) On or about January 8, 2001, PAULETTE LYNNE McCARTER purchased a residence at 3608 West Corona Street, Tampa, Florida, for \$121,000.00.

(48) On or about January 12, 2001, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$6,000.00.

(49) On or about January 16, 2001, LORI A. ROBERTS attended a meeting concerning 6714 Josie Drive, Seffner, Florida with other individuals.

(50) On or about January 18, 2001, CHESTER MAURICE LUNEY, on behalf of the THAP Group and Atlas Structural Movers, Inc., entered into a contract to move a building at 3608 Corona Street, Tampa, Florida for \$22,000.00.

(51) On or about January 19, 2001, CHESTER MAURICE LUNEY caused THAP to retain Waste Management and for Waste Management to provide for waste removal at 3608 Corona Street, Tampa, Florida.

(52) On or about January 22, 2001, CHESTER MAURICE LUNEY caused Coastal Bay Properties, Inc. to issue a check drawn on Regions Bank in the amount of \$7,500.00 and payable to Atlas Structural Movers, Inc.

(53) On or about January 25, 2001, CHESTER MAURICE LUNEY caused the

State of Florida Department of Transportation to issue a permit to Atlas Structural Movers to move a house from 3608 Corona Street, Tampa, Florida to 1002 Lemon Street, Tampa, Florida.

(54) In or about January, 2001, LORI A. ROBERTS generated a letter that USF Federal Credit Union will pay subcontractors on 6714 Jose Drive, Seffner, Florida.

(55) On or about February 1, 2001, CHESTER MAURICE LUNEY caused Coastal Bay Properties, Inc. to issue a check drawn Regions Bank in the amount of \$7,500.00 and payable to Atlas Structural Movers, Inc.

(56) On or about February 1, 2001, CHESTER MAURICE LUNEY caused Waste Management to send an invoice to THAP for \$1,270.73 for waste removal at 3608 Corona Street, Tampa, Florida.

(57) On or about February 2, 2001, PAULETTE LYNNE McCARTER issued a check on the "So, What's the Occasion" account at SunTrust to herself for \$3,000.00.

(58) On or about February 13, 2001, LORI A. ROBERTS caused a contractor to send a proposal and contract for electrical work at 6714 Josie Drive, Seffner, Florida, for \$6,140.00 to Lorie Horner.

(59) On or about February 14, 2001, STEVEN ALLEN LaBRAKE caused THAP Homes, Inc. to award a City of Tampa funded housing contract to Ryan Construction Co.

(60) On or about February 18, 2001, CHESTER MAURICE LUNEY caused Coastal Bay Properties, Inc. to issue a check in the amount of \$1,860.07 to Waste Management of Tampa.

(61) On or about February 21, 2001, STEVEN ALLEN LaBRAKE caused THAP Homes, Inc. to award two City of Tampa funded housing contracts to Ryan Construction Co.

(62) On or about February 22, 2001, STEVEN ALLEN LaBRAKE caused THAP Homes, Inc. to award eight City of Tampa funded housing contracts to Ryan Construction Co.

(63) On or about February 28, 2001, PAULETTE LYNNE McCARTER caused Chase Manhattan VISA card to issue a bill to PAULETTE LYNNE McCARTER requiring payment of \$13,379.43 for her credit card, Account No. 4226 3107 2000 9292.

(64) On or about February 28, 2001, DEAN R. RYAN caused a check to be issued drawn on Ryan Construction Co. in the amount of \$560.44 to Gary Reel for the planting of trees at 3608 Corona Street, Tampa, Florida.

(65) On or about March 1, 2001, CHESTER MAURICE LUNEY caused THAP Homes, Inc. to purchase real property located at 1529 West LaSalle, Tampa, Florida for \$25,000.00.

(66) On or about March 7, 2001, STEVEN ALLEN LaBRAKE caused THAP Homes, Inc. to award two City of Tampa funded housing contracts to Ryan Construction Co.

(67) On or about March 13, 2001, LORI A. ROBERTS caused USF Federal Credit Union to issue a check in the amount of \$17,850.00 to Ryan Construction Co.

(68) On or about March 16, 2001, CHESTER MAURICE LUNEY caused THAP Homes, Inc. to issue a check drawn on Regions Bank to Ryan Construction Co. for \$30,000.00.

(69) On or about March 19, 2001, DEAN R. RYAN issued a check drawn on Ryan Construction Co. account in the amount of \$6,000.00 to Sean Jones as partial payment for construction of a pool at 3608 Corona Street, Tampa, Florida.

(70) On or about March 21, 2001, CHESTER MAURICE LUNEY caused THAP Homes, Inc. to issue a check drawn on Regions bank to "So, What's the Occasion" for \$6,000.00.

(71) On or about March 22, 2001, DEAN R. RYAN issued a check drawn on the Ryan Construction Co. account at Southern Exchange Bank to Chase Manhattan in the amount of \$13,379.43 with a memo entry of 4226 3107 2000 9292.

(72) On or about March 29, 2001, PAULETTE LYNNE McCARTER caused Chase Manhattan VISA card to issue a bill to PAULETTE LYNNE McCARTER noting a balance due of \$88.42 for Account No. 4226 3107 2000 9292.

(73) On or about April 4, 2001, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$4,600.00.

(74) On or about April 10, 2001, STEVEN ALLEN LaBRAKE and PAULETTE LYNNE McCARTER caused a complaint to be filed with the City of Tampa concerning a pool being built without a permit at 3608 Corona Street, Tampa, Florida.

(75) On or about April 11, 2001, STEVEN ALLEN LaBRAKE caused THAP Homes, Inc. to award a City of Tampa funded housing contract to Ryan Construction Co.

(76) On or about April 12, 2001, STEVEN ALLEN LaBRAKE caused the City of Tampa to issue an official check drawn on SunTrust Bank in the amount of \$36,200.00 payable to Ryan Construction Co.

(77) On or about April 19, 2001, CHESTER MAURICE LUNEY caused THAP Homes, Inc. to enter into a construction agreement for \$58,000.00 at 6714 Josie Drive, Seffner, Florida.

(78) On or about April 23, 2001, CHESTER M. LUNEY caused THAP Homes, Inc. to issue a check drawn on Colonial Bank in the amount of \$7,600.00 payable to Atlas Moving.

(79) On or about May 15, 2001, CHESTER MAURICE LUNEY caused THAP Homes, Inc. to file a Notice of Commencement for 6714 Josie Drive, Seffner, Florida.

(80) On or about May 29, 2001, STEVEN ALLEN LaBRAKE caused the City of Tampa to issue an official check drawn on SunTrust Bank in the amount of \$60,000.00 payable to Ryan Construction Co.

(81) On or about May 30, 2001, DEAN R. RYAN issued a check drawn on Ryan Construction Co. account in the amount of \$7,200.00 payable to cash as partial payment to Sean Jones for construction of a pool at 3608 Corona Street, Tampa,

Florida.

(82) On or about June 1, 2001, LORI A. ROBERTS caused USF Federal Credit Union to issue a certified check in the amount of \$15,000.00 to THAP Homes, Inc. relating to 6714 Josie Drive, Seffner, Florida.

(83) On or about June 5, 2001, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to STEVEN ALLEN LaBRAKE for \$400.00.

(84) On or about June 5, 2001, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$1,500.00.

(85) On or about June 25, 2001, STEVEN ALLEN LaBRAKE and PAULETTE LYNNE McCARTER filed and caused a permit to be filed with the City of Tampa for installation of a pool at 3608 Corona Street, Tampa, Florida.

(86) On or about June 29, 2001, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to STEVEN ALLEN LaBRAKE for \$3,000.00.

(87) On or about August 4, 2001, DEAN R. RYAN issued a check drawn on Ryan Construction Co. account in the amount of \$3,300.00 to Sean Jones as partial payment for construction of a pool at 3608 Corona Street, Tampa, Florida.

(88) On or about August 5, 2001, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to STEVEN ALLEN LaBRAKE for \$1,200.00.

(89) On or about September 6, 2001, LORI A. ROBERTS caused USF Federal Credit union to issue a certified check in the amount of \$21,500.00, payable to THAP Homes, Inc. relating to 6714 Josie Drive, Seffner, Florida.

(90) On or about October 20, 2001, DEAN R. RYAN caused an invoice to be created for a final bill of \$141,656.51 now due for work on a new home at 3608 West Corona Street, Tampa, Florida.

(91) On or about November 8, 2001, PAULETTE LYNNE McCARTER issued a check drawn on the "So What's the Occasion" account at SunTrust to herself for \$300.00.

(92) On or about November 30, 2001, LORI A. ROBERTS ordered an appraisal on 6714 Josie Drive, Seffner, Florida.

(93) On or about December 4, 2001, CHESTER MAURICE LUNEY caused THAP Homes, Inc. to send a letter to "Lori Horne," USF Federal Credit Union, requesting final payment of \$21,500.00 for 6714 Josie Drive.

(94) On or about December 11, 2001, a Uniform Resident Appraisal Report was submitted to the USF Federal Credit Union indicating a value of \$210,000.00 for 6714 Josie Drive, Seffner, Florida.

(95) On or about December 14, 2001, LORI A. ROBERTS caused USF Federal Credit Union to approve a \$30,000.00 second mortgage for the owners of 6714 Josie Drive, Seffner, Florida.

(96) On or about December 20, 2001, PAULETTE LYNNE McCARTER wrote a letter to THAP, Inc. noting an outstanding balance of \$6,250.00 on a contract with THAP Realty, Inc. for homeowner gift bags.

(97) On or about January 29, 2002, CHESTER MAURICE LUNEY caused THAP Homes, Inc., to send a letter to "Lori Horne," Loan Processor, USF Federal Credit Union, requesting payment of \$48,619.24 for 6714 Josie Drive.

(98) On or about February 22, 2002, LORI A. ROBERTS caused USF Federal Credit Union to issue a certified check in the amount of \$13,200.00 payable to THAP Homes, Inc. for 6714 Josie Drive, Seffner, Florida.

(99) On or about July 5, 2002, CHESTER MAURICE LUNEY caused THAP Homes, Inc. to issue a check drawn on Regions Bank to "So What's the Occasion" for \$3,125.00.

(100) On or about July 10, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$500.00.

(101) On or about July 13, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$300.00.

(102) On or about July 14, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$300.00.

(103) On or about July 14, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to STEVEN ALLEN LaBRAKE for \$250.00.

(104) On or about July 21, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$700.00.

(105) On or about July 24, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$400.00.

(106) On or about July 28, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to STEVEN ALLEN LaBRAKE for \$200.00.

(107) On or about July 31, 2002, THAP Homes, Inc. issued a check in the amount of \$1,500.00 to "So, What's the Occasion."

(108) On or about July 31, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to STEVEN ALLEN LaBRAKE for \$300.00.

(109) On or about July 31, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$300.00.

(110) On or about August 15, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$400.00.

(111) On or about August 18, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$300.00.

(112) On or about August 25, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$400.00.

(113) On or about September 5, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to herself for \$200.00.

(114) On or about September 26, 2002, PAULETTE LYNNE McCARTER issued a check drawn on the "So, What's the Occasion" account at SunTrust to Lynn LaBRAKE for \$300.00.

(115) On or about January 16, 2003, PAULETTE LYNNE McCARTER and STEVEN ALLEN LaBRAKE entered into a contract with another individual for the sale and purchase of 3608 Corona Street, Tampa, Florida for \$480,000.00.

(116) On or about January 18, 2003, DEAN R. RYAN agreed to surrender a lien on 3608 West Corona Street, Tampa, Florida for payment of \$136,500.00.

(117) On or about February 27, 2003, STEVEN ALLEN LaBRAKE and PAULETTE LYNNE McCARTER caused Tampa Title Company to issue a check drawn on the Bank of Tampa to PAULETTE LYNNE McCARTER for 3608 West Corona Street, Tampa, Florida, for \$54,358.50.

(118) On or about February 27, 2003, STEVEN ALLEN LaBRAKE and PAULETTE LYNNE McCARTER caused Tampa Title Company to issue a check drawn on the Bank of Tampa to Ryan Construction Co. for 3608 West Corona Street, Tampa, Florida for \$136,500.00.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

1. Parts A, C and D of Count One are realleged and incorporated as if fully set forth in this paragraph.

2. From in or about February, 1996, through on or about February, 27, 2003, in Hillsborough County, in the Middle District of Florida, and elsewhere,

STEVEN ALLEN LaBRAKE,
PAULETTE LYNNE McCARTER,
a/k/a "Paulette Lynne LaBrake,"
DEAN R. RYAN,
CHESTER MAURICE LUNEY,
a/k/a "Chet Luney,"
and
LORI A. ROBERTS,
a/k/a "Lori A. Horne,"

defendants herein, for the purpose of executing the aforementioned scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, representations, and promises, and for depriving the citizens of the State of Florida and the City of Tampa of the intangible right of honest services, did knowingly and willfully transmit and caused to be transmitted by means of wire, radio and television communication in interstate commerce, and writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, that is, the interstate wire transmittal described below:

Date	Amount	Wire
03/13/01	\$100,687.41	Defendants caused HUD to transfer, by wire, \$100,687.41 in funds from Philadelphia, Pennsylvania to Tampa, Florida

All in violation of Title 18, United States Code, Sections 1343, 1346 and 2.

COUNTS THREE THROUGH FIVE

On or about the dates listed below, in Hillsborough County, in the Middle District of Florida, and elsewhere,

DEAN R. RYAN,

defendant herein, directly and indirectly did corruptly give, offer and promise anything of value to a public official, and offer and promise any public official to give anything of value to any other person and entity, with intent to influence any official act and to influence such public official to commit and aid in committing, collude in, and allow, any fraud on the United States:

Count	Date	Thing of Value	Official Act
3	12/23/00	Construction services to build a house at 3608 Corona Street, Tampa, Florida	Awarding of contracts
4	03/22/01	\$13,379.43 check to Chase Manhattan to pay off credit card of PAULETTE LYNNE McCARTER	Awarding of contracts
5	06/01/01	Construction of a pool	Awarding of contracts

All in violation of Title 18, United States Code, Sections 201(b)(1)(A) and (B) and
2.

COUNTS SIX THROUGH THIRTEEN

On or about the dates listed below, in Hillsborough County, in the Middle District of Florida, and elsewhere,

CHESTER MAURICE LUNEY,
a/k/a "Chet Luney,"

defendant herein, directly and indirectly did corruptly give, offer and promise anything of value to a public official, and offer and promise any public official to give anything of value to any other person and entity, with intent to influence any official act and to influence such public official to commit and aid in committing, collude in, and allow, any fraud on the United States:

Count	Date	Thing of Value	Official Act
6	02/22/00	Installation of pavers at 419 Chippewa	Awarding of contracts
7	11/01/00	\$5,000 for gift baskets	Awarding of contracts
8	11/01/00	Purchase of Toyota Four Runner for \$24,969.38	Awarding of contracts
9	11/09/00	Purchase of tires on Toyota Four Runner for \$576.34	Awarding of contracts
10	12/12/00	\$2,625 for gift baskets	Awarding of contracts
11	12/23/00	\$31,250 invoice for gift baskets	Awarding of contracts
12	01/03/01	Residential lease agreement for \$1,400 per month	Awarding of contracts
13	01/18/01	\$22,000 contract with Atlas Movers to move house at 3608 West Corona Street	Awarding of contracts

All in violation of Title 18, United States Code, Sections 201(b)(1)(A) and (B) and
2.

COUNTS FOURTEEN THROUGH TWENTY-FOUR

On or about the dates listed below, in Hillsborough County, in the Middle District of Florida, and elsewhere,

STEVEN ALLEN LaBRAKE,
and
PAULETTE LYNNE McCARTER,
a/k/a "Paulette Lynne LaBrake,"

defendants herein, being a public official, did directly and indirectly, corruptly demand, seek, receive, accept and agree to receive and accept anything of value personally and for any other person or entity, in return for being influenced in the performance of any official act and being influenced to commit and aid in committing, collude in, and allow, any fraud, and make opportunity for the commission of any fraud, on the United States:

Count	Date	Thing of Value	Official Act
14	02/22/00	Installation of pavers at 419 Chippewa	Awarding of contracts
15	11/01/00	\$5,000 for gift baskets	Awarding of contracts
16	11/01/00	Purchase of Toyota Four Runner for \$24,969.38	Awarding of contracts
17	11/09/00	Purchase of tires on Toyota Four Runner for \$576.34	Awarding of contracts
18	12/12/00	\$2,625 for gift baskets	Awarding of contracts
19	12/23/00	\$31,250 invoice for gift baskets	Awarding of contracts
20	12/23/00	Construction services to build a house at 3608 Corona Street, Tampa, Florida	Awarding of contracts
21	01/03/01	Residential lease agreement for \$1,400 per month	Awarding of contracts
22	01/18/01	\$22,000 contract with Atlas Movers to move house at 3608 West Corona Street	Awarding of contracts
23	03/22/01	\$13,379.43 check to Chase Manhattan to pay off credit card of PAULETTE LYNNE McCARTER	Awarding of contracts
24	06/01/01	Construction of pool	Awarding of contracts

All in violation of Title 18, United States Code, Sections 201(b)(2)(A) and (B) and

2.

COUNTS TWENTY-FIVE THROUGH TWENTY-SEVEN

On or about the dates listed below, in Hillsborough County, in the Middle District of Florida, and elsewhere,

DEAN R. RYAN,

defendant herein, otherwise than as provided by law for the proper discharge of official duty, did directly and indirectly give, offer, and promise anything of value to any public official, for and because of any official act performed and to be performed by such public official:

Count	Date	Thing of Value	Official Act
25	12/23/00	Construction services to build a house at 3608 Corona Street, Tampa, Florida	Awarding of contracts
26	03/22/01	\$13,379.43 check to Chase Manhattan to pay off credit card of PAULETTE LYNNE McCARTER	Awarding of contracts
27	06/01/01	Construction of a pool	Awarding of contracts

All in violation of Title 18, United States Code, Sections 201(c)(1)(A) and 2.

COUNTS TWENTY-EIGHT THROUGH THIRTY-FIVE

On or about the dates listed below, in Hillsborough County, in the Middle District of Florida, and elsewhere,

CHESTER MAURICE LUNEY,
a/k/a "Chet Luney,"

defendant herein, otherwise than as provided by law for the proper discharge of official duty, did directly and indirectly give, offer, and promise anything of value to any public official, for and because of any official act performed and to be performed by such public official:

Count	Date	Thing of Value	Official Act
28	02/22/00	Installation of pavers at 419 Chippewa	Awarding of contracts
29	11/01/00	\$5,000 for gift baskets	Awarding of contracts
30	11/01/00	Purchase of Toyota Four Runner for \$24,969.38	Awarding of contracts
31	11/09/00	Purchase of tires on Toyota Four Runner for \$576.34	Awarding of contracts
32	12/12/00	\$2,625 for gift baskets	Awarding of contracts
33	12/23/00	\$31,250 invoice for gift baskets	Awarding of contracts
34	01/03/01	Residential lease agreement for \$1,400 per month	Awarding of contracts
35	01/18/01	\$22,000 contract with Atlas Movers to move house at 3608 West Corona Street	Awarding of contracts

All in violation of Title 18, United States Code, Sections 201(c)(1)(A) and 2.

COUNTS THIRTY-SIX THROUGH FORTY-SIX

On or about the dates listed below, in Hillsborough County, in the Middle District of Florida, and elsewhere,

STEVEN ALLEN LaBRAKE,
and
PAULETTE LYNNE McCARTER,
a/k/a "Paulette Lynne LaBrake,"

defendants herein, otherwise than as provided by law for the proper discharge of official duty, being public a official, did directly and indirectly demand, seek, receive, accept, and agree to receive and accept anything of value personally for and because of any official act performed and to be performed by such official and person:

Count	Date	Thing of Value	Official Act
36	02/22/00	Installation of pavers at 419 Chippewa	Awarding of contracts
37	11/01/00	\$5,000 for gift baskets	Awarding of contracts
38	11/01/00	Purchase of Toyota Four Runner for \$24,969.38	Awarding of contracts
39	11/09/00	Purchase of tires on Toyota Four Runner for \$576.34	Awarding of contracts
40	12/12/00	\$2,625 for gift baskets	Awarding of contracts
41	12/23/00	\$31,250 invoice for gift baskets	Awarding of contracts
42	12/23/00	Construction services to build a house at 3608 Corona Street, Tampa, Florida	Awarding of contracts
43	01/03/01	Residential lease agreement for \$1,400 per month	Awarding of contracts
44	01/18/01	\$22,000 contract with Atlas Movers to move house at 3608 West Corona Street	Awarding of contracts
45	03/22/01	\$13,379.43 check to Chase Manhattan to pay off credit card of PAULETTE LYNNE McCARTER	Awarding of contracts
46	06/01/01	Construction of pool	Awarding of contracts

All in violation of Title 18, United States Code, Sections 201(c)(1)(B) and 2.

COUNTS FORTY-SEVEN THROUGH FIFTY-TWO

On or about the dates listed below, in Hillsborough County, in the Middle District of Florida, and elsewhere,

STEVEN ALLEN LaBRAKE,
and
PAULETTE LYNNE McCARTER,
a/k/a "Paulette Lynne LaBrake,"

defendants herein, being an agent of an organization, and of a state and local government, and any agency thereof, did corruptly solicit and demand for the benefit of any person, and accept and agree to accept, anything of value from any person, intending to be influenced and rewarded in connection with any business, transaction, and series of transactions of such organization, government, and agency involving anything in excess of \$5,000:

Count	Date	Thing of Value	Official Act
47	11/01/00	Purchase of Toyota Four Runner for \$24,969.38	Awarding of contracts
48	12/23/00	\$31,250 invoice for gift baskets	Awarding of contracts
49	12/23/00	Construction services to build a house at 3608 Corona Street, Tampa, Florida	Awarding of contracts
50	01/18/01	\$22,000 contract with Atlas Movers to move house at 3608 West Corona Street	Awarding of contracts
51	03/22/01	\$13,379.43 check to Chase Manhattan to pay off credit card of PAULETTE LYNNE McCARTER	Awarding of contracts
52	06/01/01	Construction of pool	Awarding of contracts

All in violation of Title 18, United States Code, Section 666(a)(1)(B) and 2.

COUNTS FIFTY-THREE THROUGH FIFTY-FIVE

On or about the dates listed below, in Hillsborough County, in the Middle District of Florida, and elsewhere,

DEAN R. RYAN,

defendant herein, did corruptly give, offer, and agree to give anything of value to any person, with intent to influence and reward an agent of an organization and of a state and local government, and any agency thereof, in connection with any business, transaction, and series of transactions of such organization, government, and agency involving anything of value in excess of \$5,000:

Count	Date	Thing of Value	Official Act
53	12/23/00	Construction services to build a house at 3608 Corona Street, Tampa, Florida	Awarding of contracts
54	03/22/01	\$13,379.43 check to Chase Manhattan to pay off credit card of PAULETTE LYNNE McCARTER	Awarding of contracts
55	06/01/01	Construction of pool	Awarding of contracts

All in violation of Title 18, United States Code, Section 666(a)(2) and 2.

COUNTS FIFTY-SIX THROUGH FIFTY-EIGHT

On or about the dates listed below, in Hillsborough County, in the Middle District of Florida, and elsewhere,

CHESTER MAURICE LUNEY,
a/k/a "Chet Luney,"

defendant herein, did corruptly give, offer, and agree to give anything of value to any person, with intent to influence and reward an agent of an organization and of a state and local government, and any agency thereof, in connection with any business, transaction, and series of transactions of such organization, government, and agency involving anything of value in excess of \$5,000:

Count	Date	Thing of Value	Official Act
56	11/01/00	Purchase of Toyota Four Runner for \$24,969.38	Awarding of contracts
57	12/23/00	\$31,250 invoice for gift baskets	Awarding of contracts
58	01/18/01	\$22,000 contract with Atlas Movers to move house at 3608 West Corona Street	Awarding of contracts

All in violation of Title 18, United States Code, Section 666(a)(2) and 2.

COUNT FIFTY-NINE

On or about August 19, 1997, in Hillsborough County, in the Middle District of Florida,

CHESTER MAURICE LUNEY,
a/k/a "Chet Luney,"

defendant herein, being an agent of an organization, state and local government, and an agency of state and local government, which organization, government, and agency received, in calendar year 1997, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance and other form of Federal assistance, did knowingly and willfully embezzle, steal, obtain by fraud, and otherwise without authority knowingly convert to his own use and to the use of any person other than the rightful owner, and intentionally misapplied property, that is valued in excess of \$5,000 and is owned by, and is under the care, custody, and control of such organization, government and agency.

In violation of Title 18, United States Code, Section 666(a)(1)(A)(i) and (ii) and 2.

COUNT SIXTY

On or about October 20, 1999, in Hillsborough County, in the Middle District of Florida, and elsewhere,

CHESTER MAURICE LUNEY,
a/k/a "Chet Luney,"

defendant herein, did embezzle, steal, purloin, and knowingly convert to his use and the use of another, any record, voucher, money and thing of value of the United States and of any department and agency thereof, and any property made and being made under contract for the United States and any department and agency thereof, that is, \$5,000.

In violation of Title 18, United States Code, Sections 641 and 2.

A TRUE BILL,

Foreperson

PAUL I. PEREZ
United States Attorney

By: _____
Robert E. O'Neill
Assistant United States Attorney
Chief, Criminal Division

By: _____
James R. Klindt
First Assistant United States Attorney